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Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Keiji YADA, et al.) Re: Information Disclosure
) Statement
Serial No.: 10/719,887) Group: not yet assigned
)
Filed: November 21, 2003) Examiner: not yet assigned
)
For: "X-RAY MICROSCOPIC INSPECTION) Our Ref: B-5308 621524-7
APPARATUS") Date: August 3, 2004

Commissioner for Patents
P.O. Box 1450
Alexandria VA, 22313-1450

Sir:

In accordance with the Applicants' duty to disclose information which may be material to the examination of this application, the undersigned respectfully requests that the Examiner consider on the merits the documents listed on the enclosed Form PTO-1449 (modified) before issuing the first Office Action on the merits. We are enclosing herewith a copy of each document listed on the enclosed Form PTO-1449 (modified).

Japanese Document No. 2004-138460 is not in English. A concise English-language explanation of the relevance of Japanese Document No. 2004-138460 can be found in the enclosed English-language abstract.

The document by Keiji Yada, et al., entitled "Development of Projection X-Ray Microscopy and Its Biological Applications," is not in English. A concise English-language explanation of the relevance of the document by Keiji Yada, et al., entitled "Development of Projection X-Ray Microscopy and Its Biological Applications," can be found in the enclosed English-language reference description.

The document by Keiji Yada, et al., entitled "Development of Soft

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X-Ray Microscopy," is not in English. A concise English-language explanation of the relevance of the document by Keiji Yada, et al., entitled "Development of Soft X-Ray Microscopy," can be found in the enclosed English-language reference description.

The document by Keiji Yada, et al., entitled "Projection X-Ray Shadow Microscopy Using SEM," is not in English. A concise English-language explanation of the relevance of the document by Keiji Yada, et al., entitled "Projection X-Ray Shadow Microscopy Using SEM," can be found in the enclosed English-language reference description.

The filing of this Information Disclosure Statement (IDS) shall not be construed as a representation that a search has been made (37 C.F.R. 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists.

The Applicants believe that this IDS is being submitted before the issuance of a first Office Action on the merits and before the issuance of a Final Rejection or Notice of Allowance. Therefore, no official fees should be due; and this IDS should be considered on the merits. If this IDS is being submitted after the issuance of the first Office Action on the merits and before the issuance of a Final Rejection or Notice of Allowance, please contact the undersigned to authorize a payment of \$180.00 (or any other required amount), which is the fee set forth in 37 C.F.R. § 1.97(c), if the Examiner believes that such a fee is due in order for this IDS to be considered on the merits.


The filing of this Information Disclosure Statement shall not be construed as an admission against interest in any manner. (Notice

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of January 9, 1992, 1135 O.G. 13-25, at 25.)

The person making this statement is the practitioner who signs below on the basis of information supplied by an individual associated with the filing and prosecution of this application (37 C.F.R. § 1.56(c)) and on the basis of information in the practitioner's file.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first-class mail in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450", on August 3, 2004 by Shana Morda.



Respectfully submitted,



Robert Popa
Attorney for Applicant
Reg. No. 43,010

LADAS & PARRY
5670 Wilshire Boulevard
Suite 2100
Los Angeles, CA 90036
(323) 934-2300

Enclosures: Form PTO-1449 (modified) (1 page)
Copy of documents listed on Form PTO-1449 (modified)



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| Form PTO-1449 (Modified) | ATTY DOCKET NO. B-5308 621524-7 | U.S. SERIAL NO. 10/719,887 |
| LIST OF PATENTS AND PUBLICATIONS STATEMENT | APPLICANTS Keiji YADA, et al. | |
| | FILING DATE November 21, 2003 | GROUP not yet assigned |

U.S. PATENT DOCUMENTS

| EXAMINER INITIAL | DOCUMENT NUMBER | ISSUE DATE | NAME | CLASS | SUB- CLASS | FILING DATE or 102(e) DATE IF APPROPRIATE |
|---------------------|--------------------|------------|------|-------|---------------|--|
| | | | | | | |

FOREIGN PATENT DOCUMENTS

| | DOCUMENT NUMBER | PUBLICATION DATE | COUNTRY | CLASS | SUBCLASS | TRANSLATION YES/NO |
|--|-----------------|---------------------|---------|-------|----------|-----------------------|
| | 2001-138460 | 5/2004 | JP | | | abstract |

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

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| | Nixon, W.C., "High-Resolution X-Ray Projection Microscopy," <i>Proc. Roy. Soc.</i> , A232, pp. 475-485 (1960). |
| | Yada, K., et al., "Development of Projection X-Ray Microscopy and Its Biological Applications," <i>Bulletin of Aomori Public College</i> , Vol. 1, pp. 2-13 (1996). |
| | Yada, K., et al., "Development of Soft X-Ray Microscopy," <i>Biophysics</i> , Vol. 33, No. 4, pp. 8-16 (1980). |
| | Yada, K., et al., "High-Resolution Projection X-Ray Microscopy," <i>Multidimensional Microscopy</i> , Chapter 8, pp. 133-150 (1994). |
| | Yada, K., et al., "Projection X-Ray Shadow Microscopy Using SEM," <i>Bulletin of the Research Institute for Scientific Measurements, Tohoku University</i> , Vol. 29, No. 1, pp. 25-42 (1980). |

| EXAMINER | DATE CONSIDERED |
|----------|-----------------|
| | |

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 602; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.